

preceding years cost, the programs will have to be approved by the Department of Education to the extent that the programs are exactly what they claim they are, those private agencies offering them.

SENATOR DWORAK: But on that preceding years cost, unless we have Senator Nichol's amendment in there, could those preceding years cost be ... are we assured that they're all going to be nonsectarian costs unless Senator Nichol's amendment is in there?

SENATOR KOCH: First of all, Senator Dworak, the local school district, as Senator Lewis I think stated very well, the local school district is going to make the determination whether or not they have programs adequate for those kinds of children that they need to serve in special education. They are going to draw the contract. They will not contract with agencies not approved by the Department of Education. They will not sign a contract that is based on an amount greater than the preceding years costs because their costs are predicated on the proceedings of ADM. So that contract will not be any different than that. The local district, and we believe in local control and this bill very carefully spells that out, if that local district doesn't want to contract with those people they don't have to contract with them. When they do the programs will be nonsectarian and it will be on last years cost. That is the way they'll arrive at the contract.

SENATOR DWORAK: Are you saying that Senator Nichol's amendment is totally redundant then and absolutely does nothing to alter the bill?

SENATOR KOCH: I'm saying that Senator Nichol's amendment is already in the bill, why add it again?

SENATOR DWORAK: Is there a harm by putting this amendment in if it doesn't alter the bill?

SENATOR KOCH: There is no harm in it but it's redundant.

PRESIDENT: Senator Frank Lewis.

SENATOR F. LEWIS: Mr. Chairman, Senator Nichol talked to me about the three amendments he has. I can appreciate some apprehension on the question of sectarian instruction. All of that language is in the bill. I have no objections, Senator Koch, if they want to put the three amendments in it's repetitious, it doesn't do anything we already don't do or are forced to do. The audit function, obviously the programs are approved and those are audited every year. Now we have the distinction of also having a federal audit in on it so those books are going to have smudge marks all over them from the pages that turn them. Certainly that is provided now by law. If it sets Senator Nichol's mind to ease, and certainly I want to get along with Senator Dworak, and if this will resolve his problem, I would support these kind of amendments just to get along with him because I want to reassure him there is no sneaking in here of anything that would at least hint at secular instruction. So, Senator Koch, my position is going to be a little different from you. If Senator Nichol wants to put these three amendments in, relating to secular education and audit, if it makes him feel better, and if it comforts my concerned friend from